



CHAIRMAN OF THE JOINT CHIEFS OF STAFF INSTRUCTION

J-5

DISTRIBUTION: A, B, C, J

CJCSI 2030.01A

9 August 2001

CHEMICAL WEAPONS CONVENTION COMPLIANCE POLICY GUIDANCE

REFERENCES:

- a. "Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction," 13 January 1993
 - b. "Department of Defense Planning Guidance for Implementation of the Chemical Weapons Convention (CWC)," 03 May 2000 (Interim)
 - c. DOD Directive 2060.1, 09 January 2001, "Implementation of, and Compliance with Arms Control Agreements"
 - d. DOD Directive 5100.1, 25 September 1987, "Functions of the Department of Defense and its Major Components"
1. Purpose. This instruction provides uniform and consistent military guidance and establishes military policy for compliance with the Chemical Weapons Convention (CWC), reference a.
 2. Cancellation. CJCSI 2030.01, 29 January 1998, is canceled.
 3. Applicability. This instruction applies to the Military Services, the combatant commands, and the Joint Staff.
 4. Policy. Enclosure A outlines administrative and operational policy concerning compliance with the CWC. The Chiefs and CINCs will use this policy guidance to promulgate their respective detailed policies.
 - a. The CWC is an international treaty that prohibits the development, production, stockpiling, retention, transfer, and use of chemical weapons (CW). Each State Party to the Convention must destroy all CW and CW Production Facilities (CWPF) under its jurisdiction or control. The CWC

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also prohibits the use of riot control agents (RCAs) as a “method of warfare.”

b. The CWC was ratified by the United States on 25 April 1997 and entered into force on 29 April 1997.

c. The guidance for the implementation of the CWC at the international level is based on reference a. The US national guidance is contained in the Senate Advice and Consent to the CWC (25 April 1997), the CWC Implementation Act of 1998 (CWCIA or Act/Pub L, 105-277, Div I, 21 Oct 1998), the Executive Order 13128 (EO 13128), the Presidential Decision Directive for National Implementation of the CWC (PDD-70), and the Supplemental to the EO 13128 and PDD 70. Additionally, there are four regulations that apply to the US implementation of the CWC: (1) Export Regulation (15 CFR Part 734); (2) International Traffic in Arms Regulation (ITAR; 22 CFR Parts 120-130); (3) The Department of State Sampling and Records Regulation (22 CFR Part 103); (4) Department of Commerce CWC Enforcement Regulations (15 CFR Parts 710-722, which applies only to commercial facilities). DOD planning guidance included references b and c, the Arms Control Planning Assumptions, and this instruction.

d. An important feature of the CWC is its verification regime, which relies on data declarations, inspections of declared facilities (initial, systematic (also referred to as routine), and close out), investigation of alleged use, and CIs (which may be conducted at any location). The Organization for the Prohibition of Chemical Weapons (OPCW) receives and reviews data declarations, and its Technical Secretariat Inspection Teams (ITs) conduct inspections to gather data as required by the Convention.

e. The CWC requires a national data declaration, which has been submitted. Declared former CWPfFs and current CW storage and destruction facilities inside the United States and its territories (IN-US) are subject to routine inspections.

f. US-controlled facilities, including outside the United States (OUT-US) facilities, and in rare cases, public vessels, state aircraft, and geographically separated units (for example, ground force units participating in peacekeeping operations) could be subject to a CI on relatively short notice. (Note: A public vessel is a warship, as defined under customary international law as reflected in Article 29 of the United Nations Convention on the Law of the Sea 1982, or other ships owned or operated by a state and used only for government noncommercial service. A state aircraft, normally referring to military aircraft, is defined

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in the Convention on International Civil Aviation of 1944.) Also, CIs may be initiated against any facility under the jurisdiction or control of a State Party in countries that have not ratified the CWC. Specific procedures must be in place for each command to respond quickly if a CI occurs at a facility, public vessel, state aircraft, or geographically separated unit within their area of responsibility (AOR).

g. CI procedures for US Government (USG) facilities overseas are being established between the United States and host countries as outlined in some form of a Host State Agreement (HCA). The Department of Defense (DOD), in consultation with the Department of State (DOS) and other appropriate agencies, will develop, negotiate, and conclude agreements or formalized understandings with foreign governments that host DOD or other relevant facilities or assets by agreement with the United States that could be subject to CWC inspections. The format of the agreement will be country specific based on diplomatic considerations. Combatant command personnel will be included in negotiations. The HCA will endeavor to clarify with the Host State that the United States will exercise its Convention rights whenever USG facilities are subject to inspection. In the absence of an HCA, the USG will need to negotiate with the Host State or inspected State Party on inspection activities impacting US assets. If a draft HCA is available, it should be used as a basis for commencing these negotiations.

h. Procedures and policies for conducting and responding to inspections of facilities, IN-US and OUT-US, are provided in the DOD Planning Guidance promulgated by the Under Secretary of Defense (Acquisition, Technology, and Logistics) (USD(AT&L)) in reference b. Each Military Department has established procedures to respond with an assistance team, knowledgeable in CWC rights, responsibilities, and inspection support, in case of an inspection affecting any of its Service combatant command components located within a CINC's AOR.

i. Military guidance necessary for the Military Services, the combatant commands, and the Joint Staff to train, prepare for, and support CWC inspections is provided in this instruction and its enclosures.

5. Definitions. See Part II of the Glossary.

6. Responsibilities. References b and c promulgate CWC-related responsibilities within the Department of Defense. Enclosure B outlines the responsibilities of the Director for Strategic Plans and Policy, the Joint Staff (DSPP or JS/J-5); the CINCs; and Chiefs regarding CWC compliance requirements. Focused toward the joint coordination efforts

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required to respond to a CWC CI, these responsibilities constitute military guidance, and in accordance with reference d, are for use by the Military Departments, the Military Services, combatant commands, and Defense agencies in the preparation of their respective detailed plans. Enclosure C provides an overview of the Defense Threat Reduction Agency's (DTRA's) support for the Military Services and combatant commands. Enclosure D clarifies the combatant command's responsibilities in the CWC data declaration process. Enclosure E provides the concept of operations for conducting a CWC CI, providing a synopsis of DOD component, agency, and combatant command activities required to execute the outlined phases. Enclosure F provides a visual overview of the CWC CI notification process. These enclosures provide military guidance to the Chiefs and CINCs, predominately for the operational execution of a CWC CI, and do not imply any manpower or funding tasking not already assigned to the Military Departments by references b and c.

7. Summary of Changes. Key changes are as follows:

a. Updating the DOD reference dates and adding information on other US CWC Implementation documents including the Implementation Act, EO, PDD, the Supplement to the EO and PDD, and the four sets of regulations.

b. Providing new definitions on public ships and state aircraft.

c. Adding clarification on the establishment and function of HCAs.

d. Reflecting OSD(A&T) had become the Acquisition, Technology, and Logistics.

e. Accounting for the establishment of the DTRA, which absorbed the On-Site Inspection Agency.

f. Adding information on the Policy Coordination Committee.

g. Removing duties and responsibilities that were assigned for pre-ratification commitment that are no longer required, while simultaneously clarifying or adding new duties and responsibilities.

h. Introducing to the CJCSI the concept of a Lead Service as applicable to the Host Team (HT).

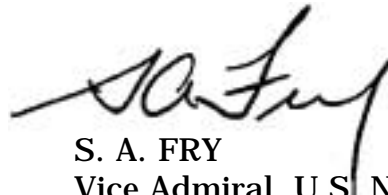
i. Clarifying the notification procedures used within DOD.

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8. Releasability. This instruction is approved for public release; distribution is unlimited. DOD components (to include the combatant commands), other federal agencies, and the public may obtain copies of this instruction through the Internet from the CJCS Directives Home Page--<http://www.dtic.mil/doctrine>. Copies are also available through the Government Printing Office on the Joint Electronic Library CD-ROM.

9. Effective Date. This instruction is effective upon receipt.

For the Chairman of the Joint Chiefs of Staff:



S. A. FRY
Vice Admiral, U.S. Navy
Director, Joint Staff

Enclosures:

- A -- Policy
- B -- Responsibilities and Procedures
- C -- Defense Threat Reduction Agency Support
- D -- Declarations
- E -- Challenge Inspection Phases
- F -- Challenge Inspection Initial Notification
- GL -- Glossary

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ENCLOSURE A

POLICY

1. Administrative Policya. Discussion

(1) Overview

(a) Director for Strategic Plans and Policy (DSPP) (JS/J-5) is responsible for coordinating combatant command and Service CWC policy issues with the Office of the Under Secretary of Defense for Policy (OUSD(P)) and for coordinating implementation issues with the Office of the Under Secretary of Defense for Acquisition, Technology, and Logistics (USD(AT&L)); coordinating compliance issues with each Service and combatant command; coordinating combatant command and Services' issues during OPCW proceedings; and coordinating with combatant commands and Services on CWC data declarations.

(b) The USD(P) develops, coordinates, and promulgates DOD CWC implementation and compliance (I&C) policy. Based on USD(P) CWC policy, the USD(AT&L), through the CWIWG, processes, develops, coordinates, and promulgates DOD CWC I&C guidance.

(c) In accordance with references b and c, the Military Departments are responsible for developing CWC I&C plans. The CINCs are responsible for developing AOR-specific CWC I&C plans. The CINCs' I&C plans will integrate Military Department/Service and combatant command requirements with regard to CWC implementation and compliance resource planning, preparation activities, training, reporting requirements, and inspection support within the combatant command's AOR. The Services will coordinate with their Service combatant command components to ensure their Military Departments' CWC I&C plans address CINC AOR-specific requirements. CINC's I&C plans should endeavor to incorporate the existing Military Departments' I&C plans, through the Service combatant command component, maintaining consistency with modifications dictated by AOR and combatant command unique requirements and capabilities.

(d) The CINCs, through the Chairman of the Joint Chiefs of Staff, will coordinate with other USG departments and agencies to develop uniform CWC I&C plans and procedures.

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(2) Issue resolution

(a) In accordance with reference c, the USD(AT&L) will establish the Chemical Weapons Compliance Review Group (CWCRG) to monitor and coordinate guidance on issues arising from questions of the compliance of planned or ongoing CWC-related DOD activities. The USD(P) is required to address, in consultation with the CWCRG, as appropriate, issues that require resolution to foreclose or to respond to questions of DOD compliance raised by States Parties to the CWC.

(b) As specified in reference c, the Chairman of the Joint Chiefs of Staff provides a representative as a member of the CWCRG. This designee represents the Chairman on any issue that may potentially impact DOD treaty compliance. The other members and interactions of the CWCRG are as specified in reference c.

(c) The unique and intrusive nature of inspections (especially challenge inspections (CIs)) allowed for by the CWC and the requirement to maintain unity of command resulted in an expanded HT concept as prescribed in reference b that ensures compliance with the CWC without usurping military command authority. The HT participants will be in accordance with reference b. The Host Team Leader (HTL) will be flag rank or equivalent, filled by Joint Staff or OSD. For CIs at military facilities, the HTL will normally be a CJCS representative of flag rank (or equivalent). For CIs, the CJCS in coordination with OSD, may designate an alternate of flag rank (or equivalent) to serve as the HTL. In the event that a combatant command representative (OUT-US) or Service representative (IN-US) is designated to serve as the CJCS representative and HTL, he or she will have reporting responsibility to DSPP (JS/J-5), who will provide CWC treaty knowledgeable staff support to the designated CJCS representative.

(d) In accordance with reference b, all HT decisions regarding the conduct of the inspection and the meeting of US obligations will be made on a consensus basis. Reference b provides procedures to decide, at the lowest level, issues within the HT and between the HT and the IT. In accordance with reference c, DOD components will seek clearance from the USD(AT&L), through the CWCRG, before taking any action that reasonably raises an issue of DOD compliance with an arms control agreement. When there is doubt whether clearance is necessary, clearance will be sought.

(e) USD(P) and the Joint Staff are both members on the Chemical Weapons Convention Policy Coordination Committee (PCC). The PCC shall serve as the senior interagency forum for consideration of

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policy issues concerning the USG's obligations under the CWC. It shall coordinate CWC implementation issues that have diplomatic, economic or national security implications, and monitor US CWC implementation. The head of each department or agency shall be responsible to the President of the United States for ensuring that all of the activities of his or her respective department or agency are fully compliant with the legal obligations of the USG. USD(P) and the Joint Staff are obligated to promptly refer to the PCC issues that arise between the HT and the IT that the lead agency determines to be new and substantial and that cannot be resolved on-site during the inspection.

b. Policy

(1) The Services and combatant commands within their respective AOR will implement and comply with the provisions of the CWC in accordance with responsibilities and guidance provided in references b and c and this instruction.

(2) The Services will coordinate with their Military Departments to provide inspection support and protection planning for susceptible DOD facilities within combatant commands' AORs, as required by the individual CINC. Consistent with the concept of economy of force, CINC I&C plans should utilize individual Service or Military Department inspection assistance teams to the maximum extent.

(3) The Services and combatant commands, in accordance with reference c, will seek clearance from USD(AT&L), through their Military Department or DSPP/J-5, as appropriate, before taking any action that reasonably may raise an issue of DOD compliance with the CWC.

(4) For CIs, the composition and interaction of the HT will be as specified in reference b. Upon notification of a CI, the combatant commands and Military Departments will determine equities that may be potentially captured within the area described by the CI notification or could be affected if a larger inspection perimeter were agreed. In the process of preparing for and conducting the inspection, issues may arise with tenant commands that require resolution. The 108-hour preparation and 84-hour inspection periods allow time to ensure that, if required, issues are resolved through the tenant's operational chain of command and the HT.

(5) Reporting and decision making chain of command.

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(a) The responsible Service will establish procedures for notifying its respective Military Department when issues arise concerning US compliance while conducting systematic inspections.

(b) For CIs, each DOD component that identifies itself as having an equity in the area of the CI will identify itself and its operational chain of command.

2. Operational Policy

a. Discussion

(1) The CWC establishes a rigorous system of routine inspections of declared facilities and CIs of sites that are alleged by another State Party to be the location of possible instances of noncompliance with the CWC including use of those facilities/locations for CW storage or production. The territorial scope of CIs is unlimited and may extend to “any facility or location in the territory or in any other place under the jurisdiction or control of a State Party requested by another State Party.” What is inspected within the perimeter of a facility or location is determined through negotiations between the OPCW IT, the designated inspected State Party, and the Host State (if applicable and required). For OUT-US CIs, HCAs (or an ad hoc arrangement, if the HCA is unavailable) will endeavor to establish procedures to include USG representatives and Host State representatives in perimeter negotiations, regardless of the designated inspected State Party. Inspections are conducted by the IT, which has the authority to conduct CWC inspections in areas under the jurisdiction or control of State Parties to the Convention. IT members can not come from the State Party that initiated the challenge.

(2) One operational impact on the United States, as a State Party to the CWC, is the potential for access to public vessels, state aircraft, or geographically separated units (either as direct objects of a CI or entities within the CI perimeter) by foreign inspectors for the very narrow purpose of conducting a CWC CI. Additionally, military facilities located outside the United States are subject to inspection. Since the CWC has application to any area under the jurisdiction or control of a State Party, there may be circumstances in which commanders are required to submit to an inspection both inside and outside the United States. As a State Party to the CWC, the USG has an obligation to demonstrate compliance with the provisions of the Convention. This demonstration may require that the United States provide access to a military facility, public vessel, state aircraft, or geographically separated unit subjected to a CI. Commanders, however, have the obligation to manage access to

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protect sensitive systems or prevent unauthorized disclosures of classified information.

b. Policy

(1) Under no circumstances shall commanders permit an inspection without specific approval of their operational commander.

(2) Nothing in this guidance and references a through c alters existing DOD command relationships or the operational chain of command. For inspections of Service facilities, public vessels, state aircraft, or a geographically separated unit, the unit commander retains ultimate responsibility for the safety and security of his/her command.

(3) DOD components will seek clearance from USD(AT&L), through the CWCRG, before taking any action that reasonably raises an issue of DOD compliance with the CWC.

(4) It is recognized that the obligation to demonstrate CWC compliance and a commander's responsibility for safety, security, and operations may, in some instances, impose what appear to be competing requirements. When necessary to resolve issues impacting compliance, the HT, which includes the unit commander, will coordinate consultation with higher authority. Resolution of the matter within the established operational chain of command, the CWCRG, or as coordinated with the arms control interagency, will be transmitted via the respective operational chain of command to the HT for execution.

(5) Upon approval and as directed by the operational chain of command, all facilities, public vessels, state aircraft, or geographically separated units located inside the CI perimeter in the United States and overseas will comply with the CWC inspection procedures as implemented by the USG. Public vessels, state aircraft, and geographically separated units will normally not be required to remain present in a foreign port/airfield/areas longer than a previously scheduled departure time. For public vessels, state aircraft, and geographically separated units once notified of a CI, commanders will coordinate any departure and any other movement with their operational controlling authority.

(6) For CIs, the right of "managed access" shall be employed in providing access to military facilities, public vessels, state aircraft, and geographically separated units. While the circumstances of managed access will be negotiated between the IT and the HT (including the unit commander), a commander's authority and responsibility for safety and

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security remains inviolate. US law, which includes both specific requirements for protection of national security information, Restricted Data and Formerly Restricted Data under the Atomic Energy Act of 1954, as amended, is of paramount concern when determining the degree of access that may be afforded an IT during a CI. In no case will access be granted to Restricted Data or Formerly Restricted Data information. For example, access shall not be granted to naval nuclear propulsion spaces because the application of managed access tools, such as shrouding or covering, is inadequate to shield sensitive and classified information, and to do so would preclude essential monitoring of the propulsion plant. The HT, in conjunction with the facility commanders, shall make every reasonable effort to demonstrate that any area, structure, or object to which the IT has not been granted access is not used for purposes related to the possible noncompliance concerns.

(7) Public vessels and state aircraft may be subject to CIs although they are in international waters or airspace at the time the CI is announced. Unless otherwise directed by their operational controlling authority, commanders will not permit a CI of their ship or aircraft while under way or airborne.

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ENCLOSURE B

RESPONSIBILITIES AND PROCEDURES

1. Director for Strategic Plans and Policy, the Joint Staff Responsibilities and Procedures:

- a. Represent the CJCS (as required) in the USG Interagency decision making process concerning the CWC including the PCC.
- b. Represent the CJCS (as required) at DOD decision making fora including the CWIWG and CWCRG.
- c. Assist the Services and combatant commands, as required, to ensure Military Departments' CWC I&C plans address CINC AOR-specific requirements.
- d. Develop, coordinate, and issue detailed military guidance for CWC compliance policy.
- e. Coordinate with OUSD(P), the Services, and combatant commands, while in consultation with the DOS and other appropriate agencies, to develop procedures for establishment of HCAs in preparation for possible CIs of US military facilities and installations worldwide. Disseminate concluded HCAs to Military Departments to facilitate assistance team planning.
- f. Determine in coordination OUSD(P), the combatant commands, and DOS with whom the United States should establish HCAs.
- g. Coordinate activities, including communications to and from the combatant commands, for DOD implementation of, and compliance with, the CWC.
- h. Receive certification from combatant commands ensuring US military facilities and installations in affected AORs are in compliance with the CWC.
- i. Participate in notification conference calls that inform the Military Department/Service and combatant commands of any impending CWC inspection.

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j. Coordinate, assist, and facilitate, in coordination with USD(P), the development and dissemination of national-level guidance to supplement and reinforce existing DOD-level guidance.

k. Serve or designate a flag-level (or equivalent) CJCS representative as HTL for CIs at military facilities worldwide and carry out responsibilities as indicated in reference b. The HTL is the principal USG spokesperson in any negotiations or formal interaction with ITs during DOD inspections.

l. Develop an internal Joint Staff notification plan that identifies personnel to be notified in the event of a CI.

m. Assist and facilitate, as requested, preparations for IN-US and OUT-US CI exercises.

2. CINC Responsibilities and Procedures:

a. All CINCs. Implement procedures to execute the administrative and operational policy outlined in Enclosure A.

b. Geographic CINCs:

(1) OUT-US geographic CINCs are responsible for compliance with the CWC in their AOR, ensuring that all US military facilities and installations within the respective CINC's jurisdiction are in compliance with CWC provisions.

(2) Be responsible for notifying DSPP (JS/J-5) of any concerns with regard to CWC obligations and declarations.

(3) Provide DSPP with the name and title of the CINC's Compliance Certification Official.

(4) Promulgate and update, as necessary, CINC-specific I&C plans. As required, coordinate the promulgation of the I&C plan with DSPP.

(5) Support facilities and installations within their AOR to ensure they are prepared to implement and comply with the CWC and coordinate with Service combatant command components to ensure facilities and installations have I&C plans available to implement. The necessity for each installation to have a specific compliance plan will be determined by the CINC.

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- (6) Support negotiations of HCAs, in coordination with DSPP, OUSD(P), and the DOS,.
- (7) Notify the DTRA Operations Center immediately of any OPCW Technical Secretariat request for an inspection on the territory of a Host State that impacts or may impact DOD equities and pass to the DTRA Operations Center any additional notification information that is provided separately from initial notification such as the location of the site to be inspected.
- (8) Conduct point of entry (POE) tasks pending arrival of the US HT from IN-US.
- (9) Provide a representative to the designated POE; provide a representative to serve as an HT member for the duration of any CWC inspection at US military facilities and installations that are within the affected CINC's AOR.
- (10) Advise DSPP of the flag officer to be designated as the CJCS representative and HTL, if tasked. If a flag officer is unavailable, notify DSPP advising of the next senior individual available.
- (11) Assist the Host State in providing IT and HT transportation from the Host State POE to facility or installation perimeter per reference b and as provided for in HCAs or as agreed with the Host State (if the HCA does not exist). Cost reimbursements will be as specified in reference b.
- (12) Coordinate inspection implementation procedures with the Host State and US Embassy.
- (13) Coordinate with DTRA for transportation and logistics purposes in anticipation of CWC inspections.
- (14) Coordinate logistics support and accommodations (at the POE and at the inspection site) for out-of-area US HT and US Escort Team members, the Military Department/Service Assistance Team, and the Army Mobile Laboratory, as required. Be prepared to coordinate support for, or assist Host States in, providing IT administrative support (communications, lodging, meals) at the POE for OUT-US CIs.
- (15) Ensure, in conjunction with the facility commander/manager, the on-site administrative and logistic support necessary to accomplish CWC inspections is provided.

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(16) Ensure, in conjunction with the facility commander/manager, sensitive and classified programs, information, technologies, and systems are protected.

(17) Ensure all necessary information is provided to support pre-inspection negotiations, which may include alternative perimeter recommendations for CIs; information regarding areas that may be sensitive or unrelated to the inspection mandate; self-monitoring plans; and recommended inspection plans.

(18) Coordinate with DTRA for inspection support, which includes POE support, escorting, technical equipment inspections (TEI), and on-site technical support.

(19) Use existing resources to the maximum extent possible in carrying out inspection preparations.

c. USCINCTRANS. Provide or coordinate for special assignment airlift missions (SAAM) for movement of the US HT, Escort Team, ITs (as necessary), the Military Department/Service Assistance Team, and the Army Mobile Laboratory, in accordance with the appropriate priority and when requested by DTRA. USTRANSCOM will coordinate with the responsible theater CINC to ensure that USTRANSCOM units will comply to the maximum extent possible with all the supported CINCs' requirements under this enclosure.

3. Service Chiefs' Responsibilities and Procedures:

a. Implement procedures to execute the administrative and operational policy outlined in Enclosure A.

b. Implement their Military Department's CWC I&C plan with their Service combatant command components in coordination with the individual CINC's requirements.

c. In accordance with their Military Department's CWC I&C plan, ensure assistance teams deploy to support IN-US facilities and installations. For CIs at OUT-US facilities, in close coordination with the combatant commands and their respective Military Department, ensure assistance teams are deployed to support affected facilities/installations, public vessels, state aircraft, and geographically separated units.

d. In accordance with their Military Department's policy, prepare and submit all data declarations required by the CWC. Coordinate with the

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combatant commands and their Service combatant command components to ensure all data declarations have been submitted.

e. For inspections at facilities OUT-US, coordinate with the combatant commands on all aspects of any impending inspection.

f. Provide a representative to the HT for the duration of any CWC inspection with a Service equity. The Service representative will either serve as the "Service/Component Member" for the Lead Service or as an "Advisor to the Joint Staff," as specified in reference b. If serving as the Service/Component Member, in coordination with the Combatant Commands and, as necessary, provide a representative to the Host State POE.

g. Develop and negotiate relevant memorandums of agreement with other DOD components, Military Departments, Services, and combatant commands to carry out CWC implementation procedures.

h. Assist combatant commands in conducting tabletop seminars and mock inspections to exercise CINC I&C plans.

i. When required, provide an individual of flag rank (or equivalent) to be designated as the CJCS representative for IN-US CIs.

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ENCLOSURE C

DEFENSE THREAT REDUCTION AGENCY SUPPORT

1. Provide POE processing and logistical support for OPCW ITs for all CWC inspections of US facilities located within or outside the United States, as appropriate.
2. Provide national escorts for the ITs for all CWC inspections of DOD facilities. In accordance with reference b, in the absence of a representative from OUSD(P) or the Joint Staff, normally serve as the HTL for initial, routine, and close-out inspections at declared facilities for which DOD serves as the lead agency.
3. Perform and coordinate TEI and certifications for all CWC inspections of US facilities.
4. Assist and support Services, combatant commands, and DOD components in coordinated, standardized preparation for inspections.
5. As the designated cost settlement agent for inspections conducted at all DOD sites and facilities, DTRA will collect from the DOD components/ combatant commands and report to OSD all reimbursable inspection-related costs incurred to support CWC inspections, as specified in reference b.
6. Provide notification of CWC inspections to DOD components. DTRA, via conference call initiated through the National Military Command Center (NMCC), will notify the Military Department/Service, the NMCC, Office of the Secretary of Defense offices, DOD component, and combatant commands with cognizance over the facility to be inspected.
7. Arrange SAAMs for movement of the HT, Escort Team, IT, the Military Department/Service Assistance Team, and the Army Mobile Laboratory, in accordance with the appropriate priority. SAAM missions are performed on a reimbursable basis.

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ENCLOSURE D

DECLARATIONS

1. The CWC requires declaration of CW production, storage, and destruction facilities, as well as other facilities used primarily for the development of CW. The CWC also requires declaration of the chemical names, structural formulae, and Chemical Abstract Service (CAS) registry numbers of all RCAs held for riot control purposes. The CWC does not require reporting of quantities and locations of RCA inventories.
2. The CINCs should not have any declaration requirements other than those for RCAs. CINCs, however, must verify declaration requirements for their respective AORs. CINCs will ensure that Service combatant command components coordinate appropriately with Military Department Executive Agents for CWC compliance and implementation to confirm declaration requirements and prepare/submit necessary declaration inputs (e.g., RCAs).
3. The CWC further requires that any changes to the RCA declaration be reported within 30 days after the change becomes effective. Consequently, combatant commands must remain aware of the current US RCA declaration and ensure that Service combatant command components immediately report acquisition of any RCAs not identified in the US RCA declaration to their Military Department's Executive Agent.

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ENCLOSURE E

CHALLENGE INSPECTION PHASES

The following is not an inspection checklist. It provides a synopsis of activities, integrating DOD component, agency, and combatant command activities that will occur during the phases of a CI. The challenged State Party is referred to as the Inspected State Party. The Host State (Country) is the State Party on whose territory lies the facilities or areas of another State Party subject to the inspection. For OUT-US inspections that capture in whole or part of USG facilities, the country on whose territory the inspection is being held will be the Host State. The United States may or may not be the inspected State Party. In some inspections, the inspected State Party and Host State may be the same country.

1. Phase I: Notification (Also See Enclosure F Notification)

a. Initiation. The OPCW receives request from a State Party who wishes to challenge a US facility. Executive Council of the OPCW may decide by a three-quarter majority of all its members against carrying out the CI if they consider the inspection request frivolous, abusive, or beyond the scope of the Convention.

b. IN-US

(1) The OPCW notifies the United States (specifically, the Nuclear Risk Reduction Center (NRRC) receives this initial notification). The information provided will be as specified in paragraph 4 of Part X of the CWC Verification Annex and will include the time of arrival of the IT at the POE, the location of the inspection site, and the nature of the non-compliance allegation(s).

(2) The NRRC initiates a call to the DTRA Operations Center. The DTRA Operations Center immediately initiates a conference call through NMCC to notify the Military Department/Service, Joint Staff, OSD, and the DOD component with cognizance over the facility to be inspected. The NMCC will ensure that appropriate members of the Joint Staff (CJCS, VCJCS, DJS, DSPP (JS/J-5), and J-2), are notified of the CI.

(3) In accordance with reference b, the designated HT members will be notified and meet the IT at the POE to commence perimeter negotiations. The IT will arrive at the POE no earlier than 12 hours following initial OPCW notification.

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c. OUT-US

(1) If the inspected State Party is the Host State, the OPCW notifies the Host State (NRRC equivalent) that a CI has been initiated. If the Inspected State Party is the United States, the OPCW notifies the US NRRC and the Host State NRRC equivalent that a CI has been initiated against an OUT-US facility. The Convention requires that in the case of an inspection of a facility of a State Party located on the territory of another State Party, both State Parties shall be simultaneously notified. Information should include time of arrival of the IT at the designated POE and the location of the inspection site, as well as the nature of the noncompliance allegation(s). The NRRC notifies the DTRA Operations Center, which notifies through the NMCC the impacted Combatant Command's Operations Center and other designated DOD components. The NMCC notifies the appropriate portions of the Joint Staff (CJCS, VCJCS, DJS, DSPP (JS/J-5), and J-2). In the case when the Host State is the designated Inspected State Party, the HCA will also establish procedures for the Host State to notify the United States via the NRRC and representative(s) in area; e.g., the Embassy or the Combatant Command's Operations Center. In the event the combatant command receives notification from the Host State prior to DTRA notification, the combatant command will immediately notify DTRA and ensure facility notification.

(2) The US-affected facility, public vessel, state aircraft, or geographically separated unit may not be specifically designated within the CI request. If the HCA has been finalized, it will establish the method and procedures for the Host State to notify the United States in the event of any CI to the Host State that may involve US assets. Based on the information contained within the initial notification, the combatant command representatives will assess the potential impact on a DOD facility and notify DTRA, which will initiate notification procedures. Subject to the HCA, US representatives are expected to observe perimeter negotiations to confirm or determine the possibility of a US facility, public vessel, state aircraft, or geographically separated unit being captured within or near the perimeter (up to 50 meters from the perimeter) and will disseminate that information. In the absence of an HCA, the USG will negotiate with the Host State or inspected State Party on inspection activities impacting US assets. If a draft HCA is available, it should be used as a basis for commencing these negotiations.

2. Phase II: Movement to POE

a. IN-US. The US HT will assemble at the POE prior to the arrival of the IT. If the location of the challenged facility is already known, the

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Military Department/Service Assistance Team will deploy to the facility to begin inspection preparations.

b. OUT-US. For an OUT-US CI, HT will assemble at US POE, Dulles International Airport, for further transportation to the OUT-US POE. When possible, the Mobile Laboratory and some personnel may be off-loaded at or near the inspected facility, which may be a different location than the POE. This off-load may require the HT transportation to stop at an in-country location prior to or after arriving at the POE. Additionally, time and distance factors may require the aircraft to fly directly to or near the site, bypassing POE perimeter negotiations. As required by the CINC, Military Department assistance teams will deploy to the inspection site by the quickest available means. The combatant command, applicable Service combatant command components, and DTRA contingents, if available, will deploy representatives to the designated POE to commence and participate in POE discussions. The CINC representative will temporarily assume responsibility for the CJCS representative as HTL, when applicable, until arrival of IN-US contingent of US HT. If CJCS through DSPP has designated the CINC representative as HTL, this designation will be accomplished through message traffic and all concerned DOD components will be action addressees on the message. If DSPP or OSD provides the HTL, the CINC representative will become a Host Team Member.

3. Phase III: POE Activities

a. IN-US

(1) Upon arrival of the IT at the IN-US POE, Washington Dulles International Airport, the HT will commence discussions, to include on a priority basis inspection mandate review, when it is available, and negotiations on the requested perimeter.

(2) DTRA will meet, process, and provide logistic support for the IT at the POE. These arrangements will include meals and lodging for the inspectors while at the POE as well as conference and working spaces for the conduct of POE discussions.

(3) DTRA will perform the TEI of all inspection equipment brought by the IT prior to the inspection.

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(4) The HT should review the status of preparation and commencement of self-monitoring at the site. Per the CWC, self-monitoring must commence no later than 12 hours after the IT arrives at the POE.

b. OUT-US. Designated CINC and Service combatant command component representatives, as well as DTRA representatives (if available), will meet at the designated POE and commence/participate in POE discussions. This indigenous HT may desire to finalize the perimeter during POE negotiations. Because the decision making process is based on consensus, the HT members present at the POE will communicate the proposed final perimeter to the other HT members to gain consensus. The Host State and DTRA, if available, will perform the TEI and arrange for meals and lodging for the IT while at the POE. If the HCA is not finalized or fails to achieve this predetermined cooperation and DTRA representative are not available, the combatant command or DTRA will be required to fulfill this responsibility. Per reference b, the combatant command will be reimbursed by DTRA for inspection-related expenses incurred. In the absence of the ability to conduct a POE TEI, DTRA will be prepared to inspect the equipment prior to its use in the inspection process. The HT should review the status of preparation and commencement of self-monitoring at the site. Per the CWC, self-monitoring must commence no later than 12 hours after the IT arrives at the POE.

4. Phase IV: Movement to Inspection Site

a. IN-US. POE discussions will end at such time to permit the IT and HT to arrive at the inspection site no later than 36 hours after the IT's arrival at the POE. If the challenged site is within 4 hours driving distance from the POE, DTRA may provide ground transportation. If the challenged site is beyond the 4-hour driving distance from the POE, DTRA will arrange for air transportation. DTRA will coordinate with the cognizant Military Department/Service to arrange necessary administrative and logistic support for the IT at the inspected site.

b. OUT-US. The IT, in company with HT members who arrived at the designated POE, will depart the POE for the inspection site. The HCA, if completed, will designate the transportation responsibilities of the Host State during a CWC CI; however, in the absence of an HCA or through an agreement between the United States and the Host State, the combatant command should be prepared to support in-country transportation, as required. Per reference b, the combatant command will be reimbursed by DTRA for inspection-related expenses incurred.

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5. Phase V: Preinspection

a. IN-US

(1) Once the IT arrives in the vicinity of the inspection site, access within the site must be granted within 108 hours from the IT arrival at the POE. If a final perimeter has not yet been agreed to prior to IT arrival, then perimeter negotiations will continue until one is agreed upon by the HT and the IT. If one is not agreed upon within 72 hours from the IT's arrival at the site, then the inspected State Party's proposed alternative perimeter shall be designated the final perimeter.

(2) The affected facility will provide all necessary information to the Host Team to support pre-inspection negotiations, to include alternative perimeter recommendations and information regarding areas that may be sensitive or not related to the CI mandate.

(3) Upon the IT's arrival in the vicinity of the inspection site and prior to granting access to the inspection site, the facility will present a pre-inspection briefing that addresses the compliance concern and includes a safety and logistical briefing to the IT. Applicable portions of this briefing should be provided to the IT prior to their commencement of perimeter activities.

(4) In accordance with reference b, the Department of Defense intends to fully exercise its rights under the CWC and will therefore use, if required, the full 108 hours allowed by the CWC (from the IT's arrival at the POE until access within the final perimeter is granted) for facility safety, security, and operational considerations. This right to use 108 hours, as required, will be independent of completion of CWC sub-timeline requirements.

(5) If queried by the media, site Public Affairs (PA) officers will have the Office of the Assistant Secretary of Defense for Public Affairs (OASD(PA)) guidance. This media guidance will include a CI statement to be given to the press and specific questions and answers that are to be used only in response to queries. Additional queries from both US or foreign media will be referred to OASD(PA).

(6) Development of the initial inspection plan occurs during this phase.

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b. OUT-US

(1) The IT and the HT will arrive at the inspection perimeter. The HT, which includes the facility commander or his/her designee, will continue perimeter negotiations if not agreed to previously in accordance with subparagraph 3b.

(2) Paragraphs 2 through 6 above in the section on IN-US apply.

6. Phase VI: Inspection: IN-US and OUT-US

a. There is an 84-hour period allotted for the inspection.

b. DTRA will escort inspectors for all DOD CWC CIs.

c. Per reference b, if an issue arises during the inspection and consensus cannot be reached among the HT, the issue will be referred up the HT members' respective operational chains of command for resolution at the lowest level possible. The DOD CWCRG will be kept informed and accessible for inspection process decisions. Each command representative on the HT will ensure that it has effective communications with its respective chain of command. OSD(P) and JS will communicate those issues needing interagency approval to the Policy Coordination Committee.

7. Phase VII: Postinspection and Movement of the IT Out of Country

a. IN-US

(1) The IT will have 24 hours following completion of inspection to prepare and submit its preliminary findings to the HTL. The HT will provide preliminary comments on the findings and initial to signify receipt and ensure the facility commander and the CWCRG receive copies.

(2) DTRA will transport the IT back to the POE for departure as soon as possible following the inspection.

(3) In accordance with Military Department/Service I&C plans, the HT will conduct a debrief at the facility and begin preparing an after-action report of the inspection.

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b. OUT-US

(1) The IT will have 24 hours following completion of inspection to prepare and submit its preliminary findings to the HTL. The HT will provide preliminary comments on the findings and initial to signify receipt. The HTL will ensure that the facility commander and CWCRCG receive copies.

(2) The combatant command, in conjunction with DTRA and the Host State, will ensure transport of the IT back to the POE for departure as soon as possible following the inspection.

(3) In accordance with Military Department/Service and CINC I&C plans, the HT will conduct a debrief at the facility and begin preparing an after-action report of the inspection.

8. Phase VIII: Postinspection Report: IN-US and OUT-US

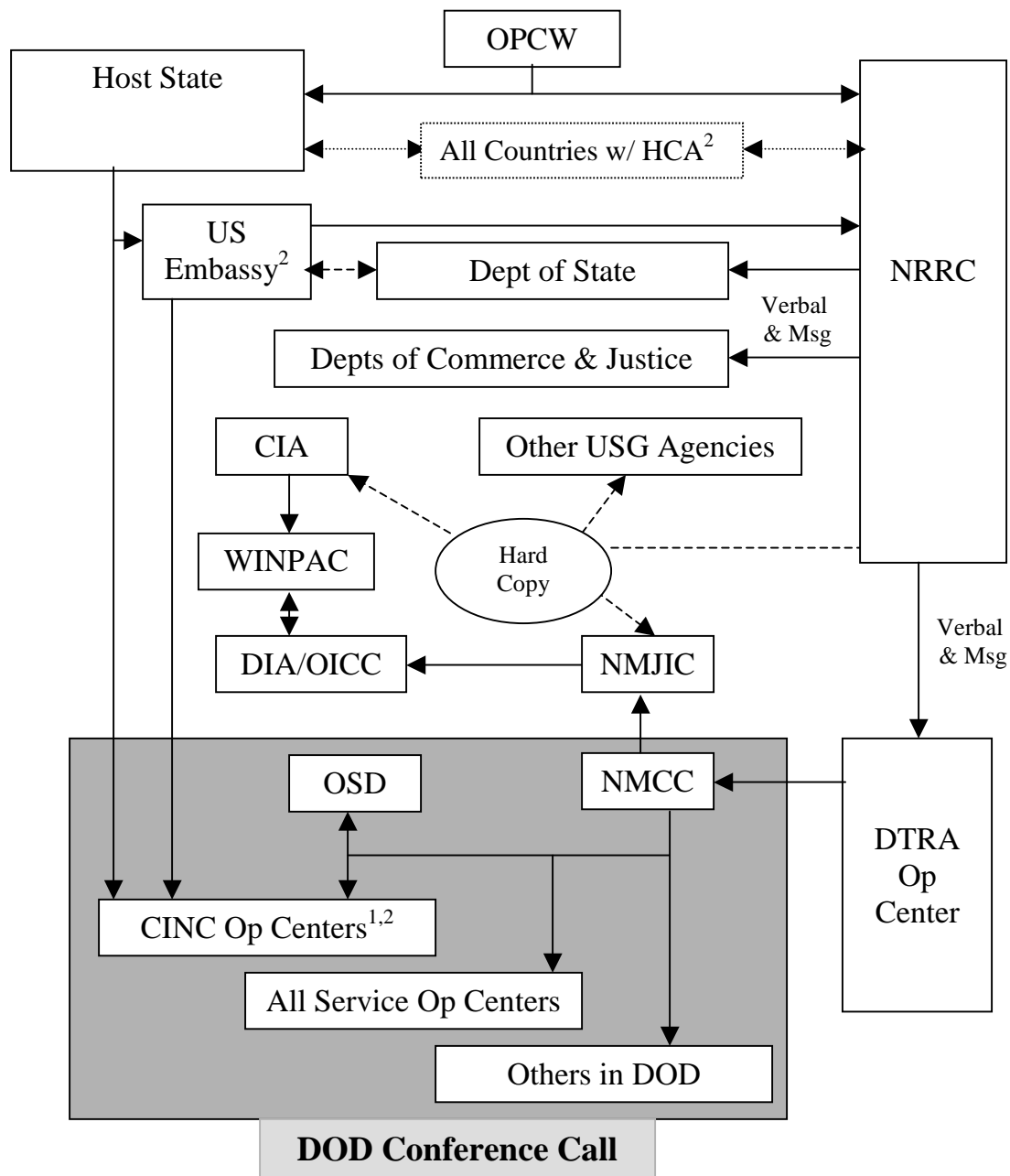
a. Per the CWC, the IT will submit a preliminary inspection report to the Technical Secretariat of the OPCW no later than 72 hours after the IT returns to its headquarters. The report will be promptly transmitted to the United States, the requesting State Party, and the Executive Council of the OPCW. Affected Military Department/Service and combatant commands will be provided with the report for review and comment. In the case of OUT-US inspections, the CINC and DSPP will coordinate efforts with OSD to release applicable information in accordance with the HCA to the Host State for its comments on the report.

b. Per the CWC, the OPCW will make a draft final inspection report available to the United States no later than 20 days after the completion of the CI. The affected Military Department/Service and combatant command will review the report for accuracy and provide any comments to DSPP for inclusion in the USG comments to the final inspection report. In the case of OUT-US inspections, the combatant command and DSPP will coordinate efforts with OSD to release applicable information in accordance with the HCA to the Host State for its comments on the report. Comments on the final draft of the inspection report should be submitted to the Technical Secretariat not later than 10 days after receipt. The final report will be presented to the Director General, OPCW, not later than 30 days after completion of the CI.

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ENCLOSURE F

CHALLENGE INSPECTION INITIAL NOTIFICATION



1 - USSPACECOM and USSOCOM are not included.

2 - Specific notification procedure may be uncertain without an HCA. Even with an HCA, some countries notify the NRRC, CINC, and/or the Embassy.

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GLOSSARY

PART I -- ABBREVIATIONS AND ACRONYMS

AOR	area of responsibility
CAS	Chemical Abstract Service
CI	Challenge Inspection
CIA	Central Intelligence Agency
CINCs	commanders of combatant commands
CJCS	Chairman of the Joint Chiefs of Staff
CRG	Compliance Review Group
CW	chemical weapons
CWC	Chemical Weapons Convention
CWCIA	CWC Implementation Act
CWCRG	Chemical Weapons Compliance Review Group
CWIWG	CWC Implementation Working Group
CWPF	Chemical Weapons Production Facility
DJS	Director, Joint Staff
DOD	Department of Defense
DOS	Department of State
DSPP	Director for Strategic Plans and Policy (JS/J-5)
DTRA	Defense Threat Reduction Agency
EIF	entry into force
EO	Executive Order
HCA	Host Country Agreement
HT	Host Team
HTL	Host Team Leader
I&C	implementation and compliance
IN-US	Inside the United States (to include Hawaii and Alaska and US territories)
IT	Inspection Team (OPCW Technical Secretariat)
ITAR	International Traffic in Arms Regulation
JCS	Joint Chiefs of Staff
JS	Joint Staff
NMCC	National Military Command Center
NRRC	Nuclear Risk Reduction Center
OASD(PA)	Office of the Assistant Secretary of Defense for Public Affairs

OPCW	Organization for the Prohibition of Chemical Weapons
OSD	Office of the Secretary of Defense
OUSD(P)	Office of the Under Secretary of Defense for Policy
OUT-US	Outside the United States
PA	Public Affairs
PCC	Policy Coordination Committee
PDD	Presidential Decision Directive
POE	point of entry
RCA	riot control agents
SAAM	special assignment airlift mission
TEI	Technical Equipment Inspection
USCINCTRANS	Commander in Chief, US Transportation Command
USD(AT&L)	Under Secretary of Defense for Acquisition, Technology, and Logistics
USG	United States Government
USTRANSCOM	US Transportation Command
VCJCS	Vice Chairman of the Joint Chiefs of Staff

GLOSSARY

PART II -- DEFINITIONS

alternative perimeter. The inspection perimeter proposed by the Host Team as an alternative to the requested inspection perimeter specified by the State Party requesting a CI. Presentation of the alternative perimeter by the USG to the International Inspection Team must occur no later than 24 hours after arrival of the International Inspection Team at the POE. The alternative perimeter must contain the entire requested perimeter and meet at least two of the following conditions:

- a. Does not extend to an area significantly greater than that of the requested perimeter.
- b. Is a short, uniform distance from the requested perimeter.
- c. At least part of the requested perimeter is visible from the alternative perimeter.

It should, as a rule, bear a close relationship to the requested perimeter, taking into account natural terrain features and manmade boundaries. It should normally run close to the surrounding security barrier, if such a barrier exists.

approved equipment. The devices and/or instruments necessary for the performance of the international inspection team's duties that have been certified by the Technical Secretariat in accordance with agreed procedures. Such equipment may also refer to administrative supplies or data recording materials that would be used by the international inspection team.

assistance team. A team deployed by a Military Department or Service to assist the installation in preparing for a CI. The team is to arrive at the site within 12 hours of the initial notification. At the inspection site, the assistance team will support the installation/site commander by clarifying any CWC compliance questions, advising on preparation and support procedures for the inspection, and augmenting the installation staff, as needed.

Challenge Inspection (CI). A short-notice inspection of a specific site of one State Party requested by another State Party, conducted by the Organization for the Prohibition of Chemical Weapons' Inspection Team. States may be "challenged" by other states to resolve compliance concerns. CI procedures are covered under Article IX of the CWC and Part X of the CWC Verification Annex.

chemical weapons. Chemical weapons are as follows:

a. Toxic chemicals and their precursors, except where intended for purposes not prohibited under the Convention, as long as the types and quantities involved are consistent with such purposes.

b. Munitions and devices specifically designed to cause death or other harm through the toxic properties of those chemicals, which would be released as a result of the employment of such munitions and devices.

c. Any equipment specifically designed for use directly in connection with the employment of such munitions or devices.

Note: The term “chemical weapon” does not apply to nonlethal chemicals that are used by a state party for domestic law enforcement and riot control purposes (e.g., riot control agents).

Chemical Weapons Convention Interagency Working Group (CWC/IWG). See Chemical Weapons Convention Policy Coordination Committee.

Chemical Weapons Convention Policy Coordination Committee (PCC). The PCC shall serve as the senior interagency forum for consideration of policy issues concerning the USG’s obligations under the CWC. It shall coordinate CWC implementation issues that have diplomatic, economic or national security implications, and monitor US CWC implementation. The head of each department or agency shall be responsible to the President of the United States for ensuring that all of the activities of his or her respective department or agency are fully compliant with the legal obligations of the USG. The PCC shall include a representative of the Departments of State, Treasury, Defense, Justice, Commerce, Energy; the Intelligence Community; the National Security Council; the Joint Staff; and other departments or agencies as needed and invited by the Chairman of the PCC.

Chemical Weapons Production Facility (CWPF). Any equipment or building housing such equipment that was designed, constructed, or used since 1 January 1946: (1) for the production flow of any Schedule 1 chemical or any other chemical that has no use for permitted purposes above 1 ton per year; and (2) for the filling of Schedule 1 chemicals into munitions, devices, or bulk containers.

compliance. Assures that existing and future DOD programs and activities legally and technically comply with the terms of the CWC. Compliance includes executing the I&C plan; destroying the chemical weapons stockpile and former Chemical Weapons Production Facilities; changing doctrine, as required; reporting Convention-required data declarations; and making

Convention-required notifications. Compliance also includes not doing what the Convention forbids, including developing chemical weapons, stockpiling chemical weapons, and training for the employment of chemical weapons.

Compliance Certification Official. The individual responsible for certifying that his or her respective combatant command is in compliance with the CWC. This individual is responsible for signing the command's C&I plan. It is recommended this individual be the combatant command's counterpart to the Director for Strategic Plans and Policy, the Joint Staff (JS/J-5). Certification officials for Military Departments are determined by the Military Department's policy.

Compliance Review Group (CWCRG). A DOD-wide working group, chaired by the DOD Chemical Weapons Treaty Manager, that conducts an executive-level review of CWC compliance issues. The CRG meets on an as-needed basis to address key issues such as a CI. Membership is as specified in reference c.

consensus decision making. Resolution of all issues pertaining to DOD compliance with the CWC, the commencement and conduct of the inspection shall be accomplished by consensus among HT members. Consensus decision making will be interpreted more stringently than simple majority. All matters involving safety, operations, and security shall have the concurrence of all members of the HT, and if not, shall be referred to the operational chain of command for resolution.

declared facility. A chemical weapons related installation, factory, or plant that was declared by the United States in accordance with the requirements of the Convention. Declared facilities must comply with specific verification activities, like systematic inspections, that may include on-site continuous instrument monitoring. Requirements will be defined in a facility agreement. Facilities are declared based on a range of criteria, including production, storage, or a history of chemical weapons research, development, or testing.

entry into force (EIF). The specific date, 29 April 1997, when the provisions of the Convention became effective. Entry into force for those countries who are not original States Parties is 30 days after the nation deposits its instrument of ratification with the United Nation's Secretary General.

exit monitoring. The inspection team has the right to monitor the exits of the site to ensure that prohibited materials are not being surreptitiously removed to avoid the CI. This monitoring begins when the IT arrives at the alternative or final perimeter, whichever occurs first, and may continue for the duration of the inspection.

facility agreement (FA). An agreement between a State Party and the Organization for the Prohibition of Chemical Weapons relating to a specific declared facility subject to systematic inspection. The agreement will include detailed provisions governing inspection procedures at that facility.

final (inspection) perimeter. The inspection site perimeter as agreed in CWC CI negotiations between the international inspection team and the inspected State Party. (See also requested perimeter, alternative perimeter.)

Host State. The State on whose territory lies facilities or areas of another State Party to the CWC, which are subject to inspection under the CWC.

Host Country Agreement (HCA). A bilateral agreement establishing mutually agreed procedures between the United States and a Host State to be used during a CWC CI to address the issue of protecting US permanent government facilities and assets abroad. The proposed agreement covers issues from the arrival of the inspection team to the final inspection report. By its terms, the agreement would operate within the framework of any Status of Forces Agreement or other arrangements already in place between the United States and the Host State. US commercial facilities are not covered by these agreements.

Host Team (HT). The group of Department of Defense representatives responsible for negotiating with an IT and accompanying the IT throughout the inspection. The HT composition and operations are as specified in reference b.

Host Team members. Consist of the HTL and voting representatives from DOD components as specified in reference b.

Host Team participants. Consists of all DOD personnel officially associated with the HT, which includes the HT members, the HT assistants, and advisors to the HT.

implementation. Includes all tasks and actions taken by the combatant commands and Military Departments/Services to prepare for and undertake obligations under the CWC. Implementation includes preparing facilities for inspection, receiving CWC inspections, and chemical weapons destruction.

implementation and compliance (I&C) planning. Process ensures that the Military Departments/Services and combatant commands are prepared to implement and comply with the CWC to include programs, procurement, and operations. I&C planning includes all tasks and actions taken to refine resource allocation planning as CWC requirements are identified, to prepare I&C, destruction, notification, and education and training plans, and to alert inspectable Service and contractor facilities.

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Inspected State Party (ISP). The State Party on whose territory, or any other place under its jurisdiction/control, an inspection pursuant to the CWC takes place.

inspection mandate. The authorization issued by the Director General to the Inspection Team that provides instructions for the conduct of a particular inspection. For a CI, the inspection mandate will also outline the compliance concern raised by the requesting State Party.

inspector. An individual designated by the Technical Secretariat and representing the Organization for the Prohibition of Chemical Weapons who will carry out an inspection in accordance with the CWC, its annexes, and facility agreements between States Parties and the Organization for the Prohibition of Chemical Weapons. Inspectors must be citizens of a State Party to the Convention. They will have diplomatic rights and responsibilities. Inspectors are designated on a list provided to and approved by each State Party to the Convention. In the case of a CI, no inspector shall be from the requesting or inspected State Party.

Inspection Team (IT). The purpose of the IT is to conduct inspections or visits in accordance with the Convention. The number of inspectors will be determined by the Technical Secretariat and will depend on the size of the facility being inspected. For routine inspections, CIs, and investigations of alleged use, an IT may be composed of members from any of the States Parties with the exception that an inspection conducted at a US facility will likely not include a US member in the International Inspection Team. For CIs, the team may be composed of members from any of the States Parties, except for the requesting and the inspected States Parties, and may include an observer from the State Party requesting the challenge.

IN-US. Inside the United States, to include Hawaii and Alaska and United States territories.

lead agency. The United States Executive department or agency responsible for implementation of the CWC declaration and inspection requirements for specified facilities. DOD is the lead agency for facilities owned by and or leased to DOD, including facilities that are contractor-operated and overseas facilities used by DOD under agreement with foreign governments.

managed access. A method of protecting sensitive information while facilitating inspector access to an area of a facility that has overriding national security or proprietary concerns not related to chemical weapons. Such measures may include, but are not limited to, removal of sensitive papers from office spaces; shrouding of sensitive pieces of equipment, displays, or dials on such equipment; logging off computer systems and turning off data -- indicating

devices; providing access to a certain percentage of buildings or rooms within a building; or providing access to only selected members of an International Inspection Team. The actual methods to be used for managed access will be determined on a case-by-case basis and, if necessary, negotiated between the IT and the HT.

Organization for the Prohibition of Chemical Weapons. The international organization established under the CWC with broad authority for conducting worldwide activities to eliminate the production and use of chemical weapons. It is located in The Hague, Netherlands.

OUT-US. Outside the United States excluding Alaska and Hawaii and United States territories.

perimeter. In the case of a CI, the external boundary of the inspection site, defined by either geographic coordinates or a description on a map. In the case of an inspection of a declared site, the external boundary of the facility declared as shown in the declaration or the negotiated facility agreement.

perimeter activities. Activities conducted by the IT at the perimeter of an inspected site. In the case of a CI, these activities occur upon the IT's arrival at the alternative or final perimeter, whichever occurs first, and may continue for the duration of the inspection. Perimeter activities explicitly permitted by the Convention's text include using monitoring equipment and taking wipes, air, soil, or effluent samples. The IT may also conduct additional activities agreed to by the inspected State Party. Perimeter activities at a nondeclared site must take place within a band 50 meters in width, measured outward from the perimeter. Upon agreement with the inspected State Party, the IT may have access to any building or structure within the 50-meter band. All directional monitoring at the perimeter must be directed inward. In the case of declared facilities, at the discretion of the inspected State Party, the 50-meter perimeter band could run inside, outside, or on both sides of the declared perimeter. Perimeter activities include exit monitoring by the IT, which includes the identification of vehicular exits, the making of traffic logs, the taking of photographs, and the making of video recordings by the inspection team of exits and exiting traffic. The IT has the right to go, under escort, to any other part of the perimeter to check that there is no other exit activity. The IT has the right to inspect, on a managed access basis, vehicular traffic exiting the site with the exception of personnel and personal passenger vehicles leaving the site. Personnel and vehicles entering the site are not subject to inspection.

Perimeter Monitoring Team. IT members designated to perform perimeter activities.

period of inspection. The time period from when the IT crosses the final perimeter until the completion of verification activities.

point of entry/exit. The location designated for the United States in-country arrival of ITs and for their departure after completion of each inspection mission. Washington Dulles International Airport is the United States designated point of entry for CI teams conducting inspections at IN-US US facilities wherein the United States is the inspected State Party under the CWC. For OUT-US facilities, the POE will most likely be those designated by the Host State.

preinspection activities. A designated time period in which to deliver all necessary welcome, orientation, safety, medical, and informational briefings, complete office and lodging assignments, and answer general questions before the commencement of an inspection.

precursor. Any chemical reactant that takes part, at any stage or by any method, in the production of a toxic chemical. This includes any key component of a binary or multicomponent chemical system.

public vessel or state aircraft. A vessel or aircraft that is owned or chartered and operated by or for the USG and is not engaged in commercial service.

random selective access. A method of managed access that allows ITs to choose a percentage of buildings or containers within an area or a percentage of rooms in a building to be inspected.

requested perimeter. The inspection perimeter specified by the IT upon its arrival at the point of entry to conduct a CI. The requested perimeter must conform to the following:

- a. Run at least 10 meters outside any buildings or other structures.
- b. Not cut through any existing security enclosures.
- c. Run at least 10 meters outside any existing security enclosures that the requesting State Party intends to include within the requested perimeter.

If the initial requested perimeter does not conform to the above specifications, it shall be redrawn by the IT. The requested perimeter, as modified by the IT, is presented to the inspected State Party at the point of entry. If the inspected State Party does not agree to the requested perimeter, it may propose an alternative perimeter for consideration by the IT. If no agreement is reached on a perimeter within 24 hours after the IT arrives at the point of entry, then the IT

will be transported to the alternative perimeter, arriving no later than 12 hours after departure from the point of entry.

Requesting State Party. A State Party to the CWC, which has requested a CI.

Requesting State Party Observer (RSO). A representative of a requesting State Party, or a third State Party designated by the requesting State Party, to observe a CWC CI.

riot control agent. Any chemical not listed in on the CWC Schedules, which can produce rapidly in humans' sensory irritation or disabling physical effects that disappear within a short time following termination of exposure.

Routine Inspections. Synonymous with the term Systematic Inspections, defined below.

Schedules of Chemicals. Collectively refers to the three lists of toxic chemicals and precursor chemicals that will be monitored under the CWC. The three lists are referred to individually as Schedule 1, Schedule 2, and Schedule 3.

self-monitoring. Refers to exit monitoring procedures undertaken by the inspected State Party during a CI. These self-monitoring procedures must begin no later than 12 hours after the arrival of the IT at the point of entry and involve the collecting of factual information on all vehicular exit activity (land, water, and air) from the requested perimeter.

special assignment airlift mission. All domestic requirements and those requiring special pickup or delivery by Air Mobility Command at points other than those within the established Air Mobility Command route pattern, or requirements for movement within this pattern that require special consideration because of the number of passengers involved, the weight or size of the cargo, or other special factors.

specialized equipment. Equipment designed and used specifically and exclusively for the production of chemical weapons. This includes any piece of equipment that has been in contact with Schedule 1 chemicals, or would be in contact with them if the plant were operating, chemical weapons filling machines, and any other equipment specially designed, built, or installed for the operation of the facility as a Chemical Weapons Production Facility. [CWC Verification Annex, Part I, subparagraph 5(a)]

State Party. Any nation that has deposited its instrument of ratification prior to 29 April 1997 (CWC entry into force) or has deposited its instrument of ratification or accession with the United Nations Secretary General after 29 April 1997 and the prerequisite 30 days have passed.

Systematic (“Routine”) Inspections. On-site inspections and monitoring with on-site instrumentation by the Organization for the Prohibition of Chemical Weapons to confirm that CWC declarations are accurate and that the nation is meeting its obligations under the CWC.

Technical Equipment Inspection Program. A Defense Threat Reduction Agency managed, community developed and supported program created to address safety, environmental, and technical countermeasure concerns of foreign arms control equipment.

Technical Secretariat. The organizational body of the Organization for the Prohibition of Chemical Weapons responsible for implementing CWC verification procedures. Among its many functions, the Technical Secretariat maintains lists of accredited inspectors, defines inspection procedures, schedules routine inspections, and conducts CIs.

toxic chemical. Any chemical that, through its chemical action on life processes, can cause death, temporary incapacitation, or permanent harm to humans and animals. This includes all such chemicals, regardless of their origin, method of production, or whether they are produced in facilities, munitions, or elsewhere.

US approved and certified CWC equipment. All foreign arms control equipment intended for use in US facilities shall be subject to formal Defense Threat Reduction Agency technical equipment inspection certification. This process ensures that safety, environmental, and technical countermeasure considerations for all the types of facilities at which such equipment is likely to be used are taken fully into account.

verification. The cumulative process of determining that a State Party is complying with the provisions of the CWC. On-site inspections and visits will be used for verification. The purpose of these verification activities is to confirm that declarations are accurate, no undetected removal of chemical weapons from facilities takes place, the identity and quantity of the chemical weapons stocks and facilities to be destroyed are accurate, and they have been destroyed.

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